

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO.3432 OF 2014  
IN  
FIRST APPEAL NO.1337 OF 2014

New India Assurance Co. ltd.

...Applicant

V/s.

Smt. Jayshree Mahesh Gosavi & Ors.

...Respondents

Mr. Y. P. Narvankar for the Appellant.

Mr. S. M. Dange for Respondent No.1 to 4.

**CORAM: K.K. TATED, J.**

**DATED : JANUARY 9, 2015**

**PC. :**

1. Heard the learned counsel for the parties. This Application is filed by the Insurance Co. for stay of the operation and implementation of the judgment and award dated 19/05/2014 passed by the MACT, Satara in MACP No.330/2011.

2. The learned counsel for the Applicant submits that pursuant to the order dated 30/09/2014 passed by this court, they have already deposited the entire decretal amount in the Tribunal. Statement is accepted.

3. The learned counsel for the Respondent original claimant submits that they preferred the Civil Application No.4389/2014 for withdrawal of the amount.

4. Considering the submissions made by the learned counsel for the Applicant and as the entire amount is deposited in the Tribunal, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, the Civil Application preferred by the original claimant being Civil Application No.4389/2014 to be decided on its own merits. Hence, the following order.

A) Civil Application stands disposed of in terms of prayer clause (a) which reads thus:

(a) Pending the hearing and final disposal of the above appeal, the judgment and award dated 19/05/2014 passed by the Adhoc District Judge 2 and Member in MACP No.330/2011 be stayed.

B) The Civil Application No.4389/2014 will be decided on its own merits.

C) Civil application stands disposed off accordingly.

**(K.K. TATED, J.)**